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EXAMINER

ARANI, TAGHI T

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 04/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/801,932

Applicant(s)

LU, LARRY L.

Examiner

Taghi T. Arani

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12, 16-26, 30-40 and 44-77 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12, 16-26, 30-40 and 44-77 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_.

### DETAILED ACTION

Claims 1-12, 16-26, 30-40 were pending for examination.

Claims 44-76 are newly added.

Based on new ground of rejections, the examiner respectfully withdraws the objections provided in the previous office action mailed on 10/29/2003 relating to allowable subject matter of claims 12-16, 27-29 and 41-43(now cancelled). Hence, the following Non-Final Action is provided.

#### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-11, 16-25, 30-39, 44-54, 56-76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dieterman, U.S. Pat. No. 6,393,464, filed June 1999 and further in view of Auvenshine, U.S. Application No. 2004/0019650, filed Jul. 2003.

**As per claim 1, 16, 30 and 44**, Dieterman is directed to a method for controlling the delivery of electronic mail, see abstract.

Dieterman's method utilizes a list of allowed electronic addresses with whom the user is permitted to freely exchange messages, see col. 2, lines 1-40.

According to Dieterman's invention, the sending of email messages by a user and the viewing (i.e. receiving) of email messages received by a user are controlled (i.e.

Art Unit: 2131

supervised) by an account administrator (i.e. a supervisory recipient) or who establishes and maintains a list of allowed senders and recipients of email messages, see col. 3, lines 34-47.

Dieterman's process of sending an email message begins with the user composing the email message wherein once the user has completed composing an email message it may be saved for later editing or it may be designated as ready to be sent, see col. 4, lines 12-57.

*Dieterman is silent on controlling (monitoring ) instant messages and chat room messages.*

However, Auvenshine is directed to a method, and program for filtering communications received over a network for a person-to person communication program (i.e. instant message and chat room messages), see abstract, see also page 2, paragraphs 17 and 26.

Auvenshine's system comprises a plurality of view programs and a filter program. The viewer program comprises application programs that enable users to view or transmit content, such as HTML, web browser newsgroup readers, word processing programs, etc., and communication software that allows person to person communication over the Internet (e.g. chat room software, AOL Messenger, ICQ, etc) .The filter program is capable of filtering content requested by the viewers in order to inhibit access to material deemed undesirable.

Auvenshine's filter program may be included within a gateway computer proxy server , see page 2, paragraph 28.

Auvenshine teaches logic implemented in the filter program to screen packets transmitted over the Internet destined for viewer programs, such as chat room program software, etc.(i.e. intended recipients. The filter program would process the packet and a predetermined list of words or phrases, see page 4, paragraph 39.

Auvenshine further teaches logic implemented in the filter program to allow an administrator to set ratings for packets or documents that are rated acceptable, unacceptable or are rated for further consideration, see page 4, paragraphs 40-42.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Dieterman for controlling the delivery of electronic mail messages to incorporate the filter program of Auvenshine to also limit the ability of children to engage in inappropriate communications with adults on IRC chat lines and also help the businesses in limiting not only what employees cannot access, like the child filtering product, but also limiting what they can access, see page 1, paragraphs 6-9.

**As per claims 2, 17, 31 and 45**, Dieterman discloses that incoming message resides within a single inbox or database list with each message having a status flag set or not set indicating whether each message is approved for viewing by the user or not(i.e. notifying the recipient that the message has been routed to the supervisory recipient, col. 5, lines 52- 58, see also Fig. 11.

**As per claims 3, 18, 32 and 46**, Dieterman teaches that when performing the comparison between each named recipient and the contents of the allowed list it is determined that not all recipients are in fact in the allowed list, then the email message is

placed in (i.e. transmitted to) an alternate outbox designated for messages that require administrator approval before being sent and if a message is approved by the administrator, the message is moved to the normal outbox for sending upon the next connection to the ISP, see Fig.5. If the message is not approved by the administrator, it remains in the outbox for messages needing approval and will be erased after a predetermined amount of time if no approval is granted. That is, the intended recipient of the message is not notified.

**As per claims 4, 19, 33 and 47**, Dieterman further teaches that once designated as ready for sending, the identity of each recipient of the message prepared by the user is compared to the allowed list and if all of the recipients are on the allowed list, the message is placed in the normal mail outbox, where in the next connection to the ISP, all messages in the normal outbox are sent onto the internet and the intended recipients.

Dieterman discloses when a user receives incoming email messages where all email messages addressed to the user are transferred by the ISP to the ISP server and the identity of the sender of each incoming message is compared to identities appearing on the allowed list (i.e. incoming messages are being screened), see col. 5, lines 24-46, see also Fig. 5, and moved to an email inbox for approval.

Dieterman further teaches that screening may be performed by software resident within email terminal, see col. 5, lines 47-51 or in an alternate embodiment, the comparison between the sender's address and the allowed list may be performed by the ISP computer instead of the client terminal, see col. 6, lines 17-28, see also col. 8 claim 8 through col. 10 claims 12.

As per claims 5-6, 20, 34 and 48-49, Dieterman discloses when a user receives incoming messages where all messages addressed to the user are transferred by the ISP to the ISP server and the identity of the sender of each incoming message is compared to identities appearing on the allowed list (i.e. incoming messages are being screened), see col. 5, lines 24-46, see also Fig. 5, and moved to an inbox for approval. Dieterman teaches a list of allowed addresses with whom the user is permitted to freely exchange messages, see co. 2, lines 1-19.

As per claims 7, 21, 35 and 50, Dieterman teaches each message sent by or sent to the user will be categorized as either authorized if the other party to the communication appears on the allowed list, or unauthorized (i.e. blocked sender) if the other party does not appear on the allowed list and that outgoing messages that are not authorized will not be transmitted (i.e. will be blocked), see col. 2, lines 1-11.

As per claims 8-11, 22-25, 36-39 and 51-54 Dieterman teaches that the sending of messages by a user and viewing of messages received by a user are controlled by an account administrator (i.e. a supervisory recipient) who establishes and maintains a list of allowed senders and recipients of messages, see col. 3, lines 34-38, and that the list may reside in a database within is accessible to ISP.

In a primary embodiment Dieterman further teaches that the user is a child having a email account established with the ISP and the account administrator is the child's parent or guardian, recited in claims 9, 23, 37 and 52 . This clearly suggests "establishing the supervisory recipient for the intended recipient" recited in **claims 8, 22**

Art Unit: 2131

**and 36 and 51** and that “the intended recipient and the supervisory recipient have related accounts” with “unique screen names”, recited in claims **10-11, 24-25, 38-39 and 53-54**.

**Claims 56-76** are apparatuses and computer programs corresponding to method claims 44-54. Claims 56-76 are rejected for the same reasons provided in the statement of rejections of claims 56-76 above.

**Claims 12, 26, 40, 55 and 77** are rejected under 35 U.S.C. 103(a) as being unpatentable over Dieterman and Auvenshine as applied in claim 1 and further in view of Cottrille et al., U.S. Pat. 6,076,100 filed Nov. 1997.

**As per claims 12 and 55**, Cottrille is directed to a system and method for improved monitoring of chat room conversation , including a database which stores penalty information corresponding to the identities of users. When the identity of a user on a channel is received , the database is queried with identity of the user. In response, penalty information corresponding to that user is received, and if found, a penalty corresponding to the penalty information is automatically applied to the user, see abstract.

It would have been obvious to one of ordinary skill in the art to enhance the message controlling system of Dieterman with comprehensive filter program of Auvenshine with the method of Cottrille to provide a chat room monitoring mechanism that allow a single individual (i.e. a supervisory recipient with unrelated account ) to effectively monitor a plurality of chat rooms and deal with improper use of chat rooms , and provide monitors with ability to apply penalties to offending ers, see col. 1, lines 18-30, see also line 55 through col. 2, line 31.



Art Unit: 2131

**Claims 26, 40,77** are apparatuses and computer programs corresponding to method claims 12 and 55. Claims **26, 40,77** are rejected for the reasons provided in the statement of rejection of claims 12 and 55 above.

***Conclusion***

Any inquiry concerning this communication or earlier communications from examiner should be directed to Taghi Arani, whose telephone number is (703) 305-4274. The examiner can normally be reached Monday through Friday from 8:00 AM to 5:30 PM.

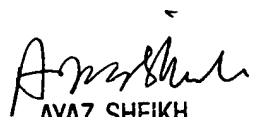
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh, can be reached at (703) 305-9648. The Fax numbers for the organization where this application is assigned is:

(703) 872-9306

Taghi Arani

Patent Examiner

4/02/2004

  
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